

REMARKS

The comments of the Examiner as set forth in the office action of October 4, 2005 have been carefully studied and reviewed. In this response, claims 1-23, 26-29 and 31 have been canceled, claims 22, 24, 25 and 30 have been amended, and new claims 32-37 have been added.

In the office action the Examiner has rejected claims 22-31 under 35 USC §102(b) as being anticipated by Frosbosilo et al., U.S. Patent No. 5,846,018. New independent claims 32 and 35 have been added. These claims define over the Frosbosilo reference.

With reference to new claim 32, this claim calls for the connecting member having first and second portions. The first portion of the connecting member is confined within the track. Claim 32 is limited to a design having one or more ribs formed in the first portion of the connecting member. These ribs, unlike the prior art, extend transversely with respect to the track and generally perpendicular to the opposed channels of the track. With reference to Figure 7 of the Frosbosilo patent, note that the ribs 220 and 222 extend longitudinally with respect to the track and do not extend generally perpendicular to the opposed rails of the track.

Further, claim 32 calls for the second portion of the connecting member to include a generally flat main section and a pair of opposed flanges. The claim also calls for the main section to include a front and a back. Furthermore, the claim calls for the main section and the flanges to be integral and constructed of a single piece of material and with the flanges being disposed generally perpendicular to the main section and projecting away from the main section in a direction away from and generally opposite from the second building member when the connecting member is connected thereto. Note the flanges 258A in Figure 14 of Applicants' drawings. These flanges extend generally perpendicular to the main section of the second portion of the connecting member and project in a direction opposite from the second building member 230. The Frosbosilo patent does not show these limitations. First, the portion 208 and

212 as shown in Figure 7 are of an integral one piece construction. However, the back plate 238 does not form a part of the integral construction formed by portions 208 and 212. Additionally, the Frosbosilo patent does not show the claimed flanges and the particular orientation of the flanges with respect to the main section of the second portion of the connecting member.

Claims 33 and 34 which depend from claim 32 directly or indirectly set forth the additional feature of the reinforcing member. The reinforcing member is referred to by 216 in Figure 14 and assumes a generally C-shape and is fastened to the main section of the second portion of the connecting member by one or more fasteners. There is no such reinforcing member in the Frosbosilo design.

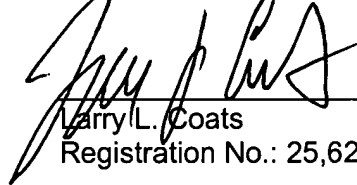
New claim 35 is similar in some respects to new claim 32. However, new claim 35 calls for an elongated track and a plurality of spaced apart connecting members slidably connected in the track. In Frosbosilo, the track does not include a series of spaced apart connecting members. In Frosbosilo the elongated track only includes one single connecting member. Likewise, the second portion of the connecting member is defined as including a main section and a pair of flanges with the main section including a front and a back with the back adapted to fit flush against the second building member. Claim 35 also is limited to a design where the flanges of the main section of the second portion extend generally perpendicular to the main section and project therefrom in a direction away from the second building member when the second portion of the connecting member is connected thereto. Again, this defines the orientation of the flanges of the second portion of the connecting member. Note in Figure 4 how the flanges extend perpendicular to the main section and extend away from the second building member 230. In the case of the Frosbosilo design there are no such flanges oriented in this way. Indeed, if anything, there is a slight bend in the back plate 238 that is directed towards the second building member, not away from the same. In addition, the structure found in the back

plate 238 forms no part of the integral one piece construction of portions 208 and 212 in the Figure 7 embodiment of the Frosbosilo design.

For the foregoing reasons, it is respectfully urged that the present application is in condition for allowance and allowance is respectfully requested.

Respectfully submitted,

COATS & BENNETT, P.L.L.C.

A handwritten signature in black ink, appearing to read "Larry L. Coats", is written over a horizontal line.

Dated: January 30, 2006

Larry L. Coats
Registration No.: 25,620

P.O. Box 5
Raleigh, NC 27602
Telephone: (919) 854-1844
Facsimile: (919) 854-2084